

United States District Court United States Bankruptcy Court Southern District of West Virginia 300 Virginia Street East, Room 2400 Charleston, WV 25301



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GUIDE FOR CONSUMER PRO SE DEBTORS

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THE "BANKRUPTCY ABUSE PREVENTION AND CONSUMER PROTECTION ACT OF 2005" WAS PASSED BY CONGRESS ON APRIL 14, 2005, AND WILL BE EFFECTIVE OCTOBER 17, 2005. THIS INFORMATION WILL BE UPDATED AT THE APPROPRIATE TIME TO REFLECT CHANGES NECESSITATED BY THE LEGISLATION.

THE BANKRUPTCY CLERK'S OFFICE IS PROHIBITED BY 28 U.S.C. § 955 FROM GIVING LEGAL ADVICE OR ASSISTING WITH THE PREPARATION OF FORMS.

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1. PREFACE

The laws, codes and rules governing bankruptcy procedures are complicated and intricate in detail. This guide is not intended to serve as a "How To" manual, nor is it intended to advise you of your legal rights or responsibilities under bankruptcy. The purpose of this guide is to provide you with some understanding of the different chapters available for filing bankruptcy and to shed light on some common misconceptions. This guide includes frequently asked questions posed to this court by debtors filing bankruptcy without the assistance of legal counsel (pro-se).

2. LEGAL ADVICE & RESOURCES

28 U.S.C. § 955 prohibits the staff of the Clerk's office from giving legal advice. The Clerk's office may assist you in understanding bankruptcy documents but are prohibited from preparing the documents for you. Your local library has law books that may be of assistance to you. The Local Bankruptcy Rules for the Southern District of West Virginia and information on the various chapters in bankruptcy are available in the Clerk's Office. The local rules, instructions and forms are also available on the Court's website at: www.wvsd.uscourts.gov/.

3. OFFICE HOURS AND LOCATIONS

All divisional offices are open Monday through Friday (8:30 am to 5:00 pm) and closed on federal holidays. All bankruptcy documents must be filed in the Charleston Divisional office at:

U.S. District & Bankruptcy Clerk's Office 300 Virginia Street East, Room 2400 Charleston, WV 25301

or mail to:

U. S. District & Bankruptcy Clerk's Office P. O. Box 3924 Charleston, WV 25339-3924

Places of Holding Court:

Parkersburg - Federal Courthouse, 5th & Juliana Streets

Bluefield - Federal Courthouse, Elizabeth Kee Federal Building
Charleston - Bankruptcy Courtroom, 6th Floor, U.S. Courthouse
First Floor Courtroom, 845 5th Avenue, U.S. Courthouse
Magistrate Courtroom, 110 N. Heber St., U.S. Courthouse

§ 341 Meeting of Creditor Locations:

Parkersburg - Room 4014, Federal Courthouse, 5th & Juliana Streets
Bluefield - Witness Room, Room 2104, Elizabeth Kee Federal Bldg.

Charleston - U.S. Trustee's Office, 2nd Floor, U.S. Courthouse Huntington - Room 144, 845 5th Avenue, U.S. Courthouse

Beckley - Jury Assembly Room, Room G07, U.S. Courthouse

4. GENERAL EXPLANATION OF BANKRUPTCY CHAPTERS

This section will acquaint you with the four chapters of the federal Bankruptcy Code under which you may file a bankruptcy petition. The bankruptcy law is complicated and not easily described. Therefore, you should seek the advice of an attorney to learn of your rights and responsibilities under the law should you decide to file a petition with the court. Neither the judge nor the court's employees may provide you with legal advice.

NOTE: CORPORATIONS AND PARTNERSHIPS MUST BE REPRESENTED BY AN ATTORNEY WHEN FILING FOR BANKRUPTCY.

CHAPTER 7: Liquidation

- 1. Chapter 7 is designed for individual and corporate debtors in financial difficulty who do not have the ability to pay any significant part of their existing debts.
- 2. Under Chapter 7 a trustee is appointed to administer the debtor's property. You may claim certain of your property as exempt under governing law. The trustee then liquidates the non-exempt property and uses the proceeds to pay your creditors according to the priorities of the Bankruptcy Code. The exemptions for West Virginia are found in WV Code § 38-10-4 (See the link on the Court's website at www.wvsd.uscourts.gov/).
- 3. A debtor's purpose for filing a Chapter 7 case is normally to obtain a discharge of existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, your discharge may be denied by the court, or some debts may be excepted from your discharge, and the purpose for which you filed bankruptcy will be defeated.
- 4. Even if you receive a discharge, there are some debts that are not discharged under the law. Therefore, you may still be responsible for such debts as certain taxes and student loans, alimony and support payments, debts fraudulently incurred, debts for willful and malicious injury to a person or property, and debts arising from a drunk driving incident.
- 5. Under certain circumstances you may keep property that you have purchased subject to a valid security interest. You should consult an attorney who can explain the options that are available to you.

CHAPTER 13: Adjustment of Debts of an Individual with Regular Income

- 1. Chapter 13 is designed for individual debtors with regular income who are temporarily unable to pay their debts, but would like to pay all or part of their debts in installments over a period of time. You are only eligible for Chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under Chapter 13, you must file a plan with the court to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts is 3 years, but can be extended to not more than five (5) years. Your plan must be approved by the court before it can take effect.
- 3. Under Chapter 13, a Trustee is appointed to make the payments to creditors under the terms of the plan and to monitor the progress of the case.
- 4. Under Chapter 13, unlike Chapter 7, you may keep your property, both exempt and non-exempt, as long as you continue to make payments under the plan.

CHAPTER 11: Reorganization

Chapter 11 is designed primarily for the reorganization of a corporation but is also available to individual debtors. Its provisions are quite complicated, and any decision for an individual to file a Chapter 11 petition should be reviewed with an attorney.

CHAPTER 12: Family Farmer

Chapter 12 is designed to permit family farmers to repay their debts over a period of time from future earnings and is in many ways similar to a Chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm.

5. OFFICIAL FORMS & PETITION PREPARATION

The U. S. District and Bankruptcy Court Clerk's Office will supply the official forms required for filing bankruptcy upon request or you can download applicable forms from the court's website at: www.wvsd.uscourts.gov/. If someone other than an attorney assists you with the preparation of the bankruptcy forms, you must disclose the name of the preparer on the petition.

You will be required to present a photo identification when entering the courthouse and must provide a daytime phone number on your petition. A photo identification is required at the Meeting of Creditors, along with verification of your social security number.

6. PROTECTING YOUR SOCIAL SECURITY NUMBER

Individuals filing bankruptcy will place only the last four digits of their Social Security Number on the bankruptcy petition. Individuals are required to submit, with the bankruptcy petition, a separate Statement of Social Security Number(s), Official Form 21, in which their full Social Security Number is given. This Statement of Social Security Number(s) is not part of the public record and will not be available to the public. Official Form 21 is available on the Court's website at: www.wvsd.uscourts.gov/ by clicking on the Forms(National) hyperlink.

7. FILING REQUIREMENTS FOR COMPLETE BANKRUPTCY PETITION(S) UNDER CHAPTERS 7 OR 13

<u>Chapter 7</u> (an original of the following is required):

- Fees the filing fee in full at the time of filing **or** an Application to Pay Fee in Installments* (see Section 11)
- Voluntary Petition*
- ► Mailing Matrix with the Verification of Mailing Matrix*(see Section 10)
- Notice to Individual Consumer Debtor(s)*
- ► Corporate Resolution* only of corporation
- If individual, a Statement of Social Security Number(s) (not available to the public)
- Schedules A through J
- Summary of Schedules and Declaration
- Statement of Financial Affairs
- Statement of Intention (Individual)
- Disclosure Statement of Attorney/Bankruptcy Petition Preparer

*Minimum requirements that must be filed to initiate a bankruptcy case.

You will be issued a Deficiency Notice if all of the above are not received at the time of filing. The Notice states that you have five (5) business days from the date the petition is filed to file your Statement of Social Security Number(s) and fifteen (15) days from the date the petition is filed to file your Schedules and Statement of Financial Affairs.

Chapters 13 (an original of the following is required)

- Fees the filing fee in full at the time of filing **or** an Application to Pay Fee in Installments* (see Section 11)
- Voluntary Petition*
- ► Mailing Matrix with the Verification of Mailing Matrix* (see Section 10)
- ► Notice to Individual Consumer Debtor(s)*
- Statement of Social Security Number(s) (not available to the public)

- Schedules A through J
- Summary of Schedules and Declaration
- Statement of Financial Affairs
- Chapter 13 Plan (use only the form approved by the Court for use in the Southern District of West Virginia; available from the Clerk's Office upon request and on the Court's website at www.wvsd.uscourts.gov (click on Forms(Local))
- Disclosure Statement of Attorney/Bankruptcy Petition Preparer

*Minimum requirements that must be filed to initiate a bankruptcy case.

You will be issued a Deficiency Notice if all of the above are not received at the time of filing. The Notice states that you have five (5) business days from the date the petition is filed to file your Statement of Social Security Number(s) and fifteen (15) days from the date the petition is filed to file your Schedules, Statement of Financial Affairs and Chapter 13 Plan. Chapter 13 Plan payments must be made to the Chapter 13 Trustee in accordance with a Wage Withholding Order to be entered by the Court and sent to the debtor(s) employer. In the alternative, you may file a motion to request you be allowed to make direct payments to the Chapter 13 Trustee. If your motion is granted, you will be required to mail timely payments to the Chapter 13 Trustee's Office: Helen Morris, Chapter 13 Trustee, P. O. Box 2207, Memphis, TN 38101-2207.

8. FORMAT FOR MAILING MATRIX

The matrix is a list of the names and addresses of creditors and parties in interest in a bankruptcy case. This information is used for sending notices in your case. Your matrix should conform to the following requirements:

- a. The mailing matrix shall be submitted on a 3.5" disk and in paper format with the petition. If you do not have access to a computer, you can type your mailing matrix using the following guidelines.
- b. Creditor lists must be typed in one of the following standard typefaces or print styles:
 - * Courier 10 Pitch
 - * Prestige Elite
 - Letter Gothic
- c. Lists must be typed so that no letters are closer than 1/2 inch from any edge of the paper and in a single column down the left-hand side of the paper.
- d. Each name/address must consist of no more than 5 (five) total lines, with at least one blank line between each of the name/address blocks.
- e. Each line must be 40 characters or less in length.

- f. Do not include account numbers as part of the address.
- g. DO NOT list the following parties as they will be automatically retrieved by the computer for noticing:
 - Debtor
 - Joint Debtor
 - Attorney for the Debtor(s)
 - Assistant U.S. Trustee
 - ► Internal Revenue Service
 - State Department of Tax & Revenue
- h. The following could prevent the list from being read by the optical scanner and should be avoided:
 - Extra marks on the list such as letterhead, dates, debtor name, coffee stains, and handwritten marks.
 - Non-standard paper such as onion silk, half-sized paper, or colored (such as yellow) paper.
 - ► Poor quality type caused by submitting a photocopy or carbon.
 - Stray marks do not type lines, debtor name, page numbers, or anything else on the front of the creditor list. Any identifying marks you choose to add can be typed on the back of the list.
 - Words typed in all upper case letters some upper case letters will scan as different characters. Type in upper and lower case as you would on a letter.
 - Zip codes must be on the last line. Nine digit zip codes should be typed with a hyphen separating the two groups of digits. (The zip code must be at the end for the zip code sorting equipment to find it.)
 - Fabric ribbons they produce letters which are too fuzzy to be properly scanned.
- i. If you do not have a computer or typewriter, you must write your matrix on a separate sheet of paper and submit it with your petition. Additional information may be obtained from the clerk's office.

9. PERTINENT BANKRUPTCY FILING FEES

Chapter 7	\$209.00
Chapter 11	\$839.00
Chapter 12	\$239.00

Chapter 13	\$194.00
Conversion from Chapters 11, 12, or 13 to Chapter 7 (filed by creditor or debtor)	
Conversion from Chapters 7 or 13 to Chapter 11	\$654.00
Conversion from Chapter 7 to Chapter 13	\$ 0.00
Amendment of Schedules D, E and F	\$ 26.00
Photocopies (per page)	\$.50
Certification of any document or paper	\$ 9.00
Exemplification	\$ 18.00
Retrieval of file from Archives	\$ 45.00

The entire Bankruptcy Fee Schedule is available through the court's internet website at http://www.wvsd.uscourts.gov/.

10. ACCEPTABLE FORMS OF PAYMENT

The U. S. Bankruptcy Court accepts cash (in person only), money orders, cashier's and traveler's checks. Personal checks from a Chapter 7 debtor, two-party checks, and post-dated checks will not be accepted. You may pay the filing fee in installments. The number of installments shall not exceed four (4) payments. *An Application and Order to Pay Filing Fee in Installments* must be filed with the Petition, and approved by the Court. This form is available in the Clerk's Office and from the Court's website at www.wvsd.uscourts.gov/ by clicking on Forms(National).

11. RETAINING YOUR RECORDS

It is advisable to keep copies of your petition, schedules, Order of Discharge and, if applicable, your Order of Dismissal. You may obtain copies of documents from the Court for a fee of \$.50 per page.

12. APPROPRIATE COURTROOM ATTIRE & CONDUCT

All persons present in a courtroom where a trial, hearing, or other proceeding is in progress must dress and conduct themselves in a manner demonstrating respect for the court. Traditional business attire is considered appropriate. Jeans, shorts, and t-shirts are **not** appropriate.

13. § 341 MEETING OF CREDITORS (ALL CHAPTERS)

A Notice issued by the Court giving the location, date and time of the meeting of creditors (§ 341 Meeting) will be mailed to you after your bankruptcy petition is filed. Please read your notice carefully to determine the location, date and time of your § 341 Meeting. Your creditors will also be notified by the U. S. Bankruptcy Court Clerk's Office of the location, date and time scheduled for your §341 Meeting by mail or by a specified type of electronic transmission. A photo identification is required, along with verification of your social security number.

14. "STATEMENT OF INFORMATION" PREPARED BY THE UNITED STATES TRUSTEE REQUIRED BY 11 U.S.C. § 341

Pursuant to the Bankruptcy Reform Act of 1994, the Office of the United States Trustee, United States Department of Justice, has prepared an information sheet to help you understand some of the possible consequences of filing a bankruptcy petition under Chapter 7 of the Bankruptcy Code. *The text of this information sheet states*:

- 1. the potential consequences of seeking a discharge in bankruptcy, including the effects on credit history;
- 2. the effect of receiving a discharge of debts;
- 3. the effect of reaffirming a debt; and
- 4. your ability to file a petition under a different chapter of the Bankruptcy Code.

There are many other provisions of the bankruptcy Code that may affect your situation. This information sheet contains only general principles of law and is not a substitute for legal advice. If you have any questions or need further information as to how the bankruptcy laws apply to your specific case, you should consult with an attorney.

What is a Discharge?

The filing of a chapter 7 petition is designed to result in a discharge of most of the debts you listed on your bankruptcy schedules. A discharge is a court order that says you do not have to repay your debts, but there are a number of exceptions. Debts which may not be discharged in your chapter 7 case include, for example, most taxes, child support, alimony, and student loans; court ordered fines and restitution; debts obtained through fraud or deception; and personal injury debts caused by driving while intoxicated or taking drugs.

Your discharge may be denied entirely if you, for example, destroy or conceal property; destroy, conceal or falsify records; or make a false oath. Creditors cannot ask you to pay any debts which have been discharged. You can only receive a chapter 7 discharge once every six (6) years.

What Are the Potential Effects of a Discharge?

The fact that you filed bankruptcy can appear on your credit report for as long as ten years. Thus, filing a bankruptcy petition may affect your ability to obtain credit in the future. Also, you may not be excused from repaying any debts that were not listed on your bankruptcy schedules or that you incurred after you filed bankruptcy.

What Are the Effects of Reaffirming a Debt?

After you file your petition, you might consider reaffirming a debt. Reaffirming a debt means that you sign and file with the court a legally enforceable document, which states that you promise to repay all or a portion of the debt that may otherwise have been discharged in your bankruptcy case. Reaffirmation agreements must generally be filed with the court within 60 days after the first meeting of creditors.

Reaffirmation agreements are strictly voluntary - they are not required by the Bankruptcy Code or other state or federal law. You can voluntarily repay any debt instead of signing a reaffirmation agreement, but there may be valid reasons for wanting to reaffirm a particular debt.

Reaffirmation agreements must not impose an undue burden on you or your dependents and must be in your best interest. If you decide to sign a reaffirmation agreement, you may cancel it at any time before the court issues your discharge order or within sixty (60) days after the reaffirmation agreement is filed with the court, whichever is later. If you reaffirm a debt and fail to make payments required in the reaffirmation agreement, the creditor can take action against you to recover any property that was given as security for the loan and you may remain personally liable for any remaining debt.

Other Bankruptcy Options

You have a choice in deciding what chapter of the Bankruptcy Code will best suit your needs. Even if you have already filed for relief under Chapter 7, you may be eligible to convert your case to a different chapter.

Chapter 7 is the liquidation chapter of the Bankruptcy Code. Under chapter 7, a trustee is appointed to collect and sell, if economically feasible, all property you own that is not exempt from these actions.

Chapter 11 is the reorganization chapter most commonly used by businesses, but it is also available to individuals. Creditors vote on whether to accept or reject a plan, which also must be approved by the court. While the debtor normally remains in control of the assets, the court can order the appointment of a trustee to take possession and control of the business.

Chapter 12 offers bankruptcy relief to those who qualify as family farmers. Family farmers must propose a plan to repay their creditors over a three-to-five year period and it must be approved by the court. Plan payments are made through a

chapter 12 trustee, who also monitors the debtors' family farming operations during the pendency of the plan.

Chapter 13 generally permits individuals to keep their property by repaying creditors out of their future income. Each chapter 13 debtor writes a plan which must be approved by the bankruptcy court. The debtor must pay the Chapter 13 trustee the amount set forth in their plan. Debtors receive a discharge after they complete their chapter 13 repayment plan. Chapter 13 is only available to individuals with regular income whose debts do not exceed \$1,162,050 (\$290,525 in unsecured debts and \$871,550 in secured debts).

AGAIN, PLEASE SPEAK TO AN ATTORNEY IF YOU NEED FURTHER EXPLANATION, INCLUDING HOW THE BANKRUPTCY LAWS RELATE TO YOUR SPECIFIC CASE.

15. CREDIT RATINGS & REPORTS

The U. S. District and Bankruptcy Court Clerk's Office is not responsible for credit reports. Bankruptcy records are public records and the information contained in them can be retrieved by anyone. Any disputes you have with a credit agency must be resolved by you and that agency. A list of the Credit Bureaus are located on the court's website at: www.wvsd.uscourts.gov/ by clicking on the Credit Reporting Agencies hyperlink. They are:

Experian Equifax Trans Union Corporation
Profile Maintenance P. O. Box 144717 Attention: Public Records Dept.
P. O. Box 9558 Orlando, FL 32814 555 West Adams St.
Allen, TX 75013 Chicago, IL 60661

16. THE FAIR CREDIT REPORTING ACT

The Fair Credit Reporting Act, 6 U.S.C. § 605, is the law that controls credit reporting agencies. The law states that credit reporting agencies may not report a bankruptcy case on a person's credit report after ten years from the date the bankruptcy case is filed. Other bad credit information is removed after seven years. The larger credit reporting agencies belong to an organization called the Associated Credit Bureaus. The policy of the Associated Credit Bureau is to remove Chapter 11 and Chapter 13 cases from the credit report after seven years to encourage debtors to file under these chapters.

You may want to contact the Federal Trade Commission, Bureau of Consumer Protection, Education Division, Washington, D.C. 20580, or telephone them at (202) 326-2222 and request the publications "How to Dispute Credit Reporting Errors" and "Fair Credit Reporting".

17. FREQUENTLY ASKED QUESTIONS

- \checkmark **Q.** Where do I get the forms to file bankruptcy?
 - A. The U. S. District and Bankruptcy Court Clerk's Office for the Southern District of West Virginia will supply the official forms and instructions required for filing bankruptcy upon request by calling 304-347-3000 or writing to the Clerk's Office at P. O. Box 3924, Charleston, WV, 25339-3924. You can also download applicable forms from the court's website at: www.wvsd.uscourts.gov/.
- ✓ Q. Can employees of the Clerk's Office assist me in completing the forms?
 - A. 28 U.S.C. § 955, which states "[t]he clerk of each court and his deputies and assistants shall not practice law in any court of the United States," prohibits the staff of the Clerk's office from giving legal advice. The Clerk's Office can assist with the documents but are prohibited from preparing the forms for you.
- ✓ Q. Can a "Petition Preparer" or paralegal prepare my forms for filing?
 - A. Yes. If you decide to file bankruptcy without the benefit of counsel or use a document preparation service, be aware that a "bankruptcy petition preparer," as defined in 11 U.S.C. § 110, is subject to strict regulations which include requirements that the preparer sign any papers prepared on behalf of the debtor, include identification of the individuals who prepared the papers and furnish the debtor with a copy of the documents prepared.
- ✓ Q. How many copies of the petition am I required to file?
 - **A.** Only the original. If you would like a stamped copy returned to you, you must supply an extra copy along with a self-addressed, stamped envelope.
- ✓ Q. Why do I have to pay a fee to file for bankruptcy?
 - A. Federal statue, 28 U.S.C. § 1930, requires a fee to file a bankruptcy petition.
- ✓ Q. Can I pay my filing fee by check? What about with a credit card?
 - **A.** Personal checks from a Chapter 7 debtor will not be accepted. You cannot pay by credit card. Other acceptable forms of payment for filing fees, or any fees payable to the court, are cash(in person only), money orders, or cashier checks.

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- ✓ Q. What if I can't afford to pay the full filing fee at the time I file my petition? Can I pay in installments?
 - A. Rule 1006 does allow for the payment of the filing fee in installments. An Application to Pay Filing Fee in Installments can be filed with the bankruptcy petition and approved by the Court. The total number of payments or installments shall not exceed four, and the final installment must be paid within 120 days of the filing of the petition, unless the Court for cause extends the deadline to 180 days.
- ✓ Q. How much do I have to pay for each installment?
 - **A.** Payments are to be made in four (4) monthly installments. The first payment, if not made with the filing of the petition, will be due within 31 days of the filing date.
- ✓ Q. If my case gets dismissed, or I change my mind about filing, will my filing fee be refunded?
 - **A.** No. By statute, filing fees cannot be refunded.
- ✓ **Q.** When am I under bankruptcy protection?
 - A. You are under bankruptcy protection when and after your petition is file-stamped by a member of the Clerk's Office staff or other official of the court. A case number is assigned at this time.
- ✓ Q. I have heard that the Southern District of West Virginia accepts electronically filed bankruptcy documents. Can I file my documents electronically?
 - A. No. Due to security and original signature issues, the court's electronic filing system is only available to members of the bankruptcy bar and certain creditors who file with the court on a regular basis.
- ✓ Q. How long does it take for my creditors to be notified that I have filed bankruptcy?
 - **A.** The creditors listed on your matrix are notified within 7 to 10 days of your filing.
- ✓ Q. How do I add a creditor to my petition that has already been filed?
 - A. You may file an amendment to your schedules per Local Bankruptcy Rule 1009-1. An amendment adding a creditor requires a filing fee (refer to Appendix A of Local Rules for current filing fees). The amendment should be in pleading form and clearly state what is being added or changed.

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- ✓ Q. Who has access to my bankruptcy file?
 - **A.** All of our files are public record.
- ✓ Q. How does bankruptcy affect my credit rating?
 - A. Credit "rating" is a matter governed by state law, not federal bankruptcy law. Effects of filing may differ from creditor to creditor. See the information on *Credit Ratings* and *Reports* and the *Fair Credit Report Act* contained in this Guide on Page 11.
- ✓ Q. How long does it take to get a discharge?
 - A. Every case is different. It depends on the case, the creditors involved and the trustee. The case cannot be discharged until after the deadline for filing objections to the discharge has passed. The average time span from filing the petition to receiving a discharge order is 4 to 5 months.
- ✓ Q. Will all of my creditors be notified of my discharge?
 - **A.** All creditors who were listed in your schedules or added by amendment to your schedules will be mailed a copy of your discharge order.
- ✓ Q. How will I know when my debts have been discharged?
 - A. Once all prerequisites have been met, and a discharge of debts is appropriate, the Court will enter a discharge order and will serve this order upon you and all creditors listed within the case.
- ✓ Q. When I receive my discharge, is my case complete?
 - **A.** No, your case is not complete until you receive the order closing the case.
- \checkmark **Q.** What is a meeting of creditors?
 - **A.** Every debtor must attend a meeting of creditors. The meetings are conducted by the trustee. The Bankruptcy Judge **is not** present.
- ✓ Q. What if I cannot attend on the date the meeting of creditors is scheduled?
 - **A.** To request that a meeting of creditors be rescheduled, contact the Office of the United States Trustee at 304-347-3400. If you do not request that the meeting be rescheduled and you do not appear at the meeting, your case may be dismissed.

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- ✓ Q. Can I list only those creditors that I don't want to pay?
 - A. No, you must list <u>all</u> of your debts (creditors) and <u>all</u> of your property (assets).